

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75229 of 2024

Arising Out of PS. Case No.-1710 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Ravi Sahni S/o Late Mahesh Sahni Resident of Village- Shekhpur Dhab, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Ahiyapur PS Case No. 1710 of 2023 dated 18-12-2023,
instituted under Section 302/34 of the Indian Penal Code.

3. The prosecution case in short is that the husband of
the informant proceeded for attending feast in the village with
the petitioner and four FIR named accused persons, but he did
not return till late night. It is further alleged that in the next
morning, the informant got information about the dead body of
her husband lying in the *Litchi* orchard. Thereafter, she along
with others reached there, where she saw the dead body of her
husband. Thereafter, search of the above FIR named persons
was made, but they were found absconding. It is further alleged
that informant has full confidence that the friends of my



husband might have killed him.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is also submitted that there is no eye witness to the occurrence rather the petitioner has been made accused only on the basis of suspicion. It is next submitted that it would manifest from the '*Fradbeyan*' of the informant itself that the petitioner and other FIR named accused persons are friends of her husband. It is also submitted that the present FIR was instituted on 18-12-2023 at about 13.30 hours, but the same has only been sent to the Court on 19-12-2023. It is submitted that there is no material evidence against the petitioner. No motive has been assigned by the informant for the alleged crime. Lastly, it has been submitted that seven criminal cases are pending against him and in all the cases, the petitioner is on bail.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



CJM, Muzaffarpur, in Ahiyapur PS Case No. 1710 of 2023, G.R. No. 6801 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 as well as the following conditions:- (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

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